

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: '318 PATENT INFRINGEMENT
LITIGATION

)
) Civil Action No. 05-356-SLR
) (consolidated)
)

PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER

Pursuant to Federal Rule of Civil Procedure 65(b), Plaintiffs Janssen Pharmaceutica, N.V., Janssen L.P, and Synaptech, Inc. (collectively, "Plaintiffs") respectfully request that the Court enter a temporary restraining order preventing Defendants from marketing and selling generic versions of Plaintiffs' product RAZADYNE® prior to the Court's issuance of a decision in this matter. In support of this Motion, Plaintiffs are submitting herewith an opening memorandum and the Declaration of Christina Estabrook. A proposed Order is also submitted.

ASHBY & GEDDES

/s/ Steven J. Balick

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TEMPORARY RESTRAINING ORDER

The 27th day of August, 2008, the Court having considered Plaintiffs' Motion for a Temporary Restraining Order, and having concluded that Plaintiffs will suffer immediate and irreparable injuries from lost sales of RAZADYNE® for which there is no adequate remedy at law in the absence of intervention by this Court, it is
HEREBY ORDERED:

- (1) that the Motion is GRANTED;
- (2) that Defendants are enjoined from marketing or selling generic versions of Plaintiffs' product RAZADYNE®; and
- (3) that this order shall expire ten days after entry unless extended.

IT IS SO ORDERED.

United States District Judge

CERTIFICATION PURSUANT TO LOCAL RULE 7.1.1

I hereby certify that the subject of the attached motion was discussed with defense counsel, and that no agreement could be reached.

/s/ Steven J. Balick

Steven J. Balick